

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-20187 - APPLICANT: URBAN LOFTS XIV, LTD -
OWNER: CITY OF LAS VEGAS**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (3-3 tie vote on a motion for denial) NO RECOMMENDATION.

Planning and Development

1. Conformance to the conditions for General Plan (GPA-20188), Rezoning (ZON-20192), Variance (VAR-20190), Variance (VAR-20193), and Waiver (WVR-20191), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan date stamped 03/13/07, and landscape plan and building elevations, date stamped 02/27/07, except as amended by conditions herein.
4. The standards for this development shall include a Minimum lot size of 1,206 square feet and Building height shall not exceed three stories or 38.5 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 3.75 feet to the front of the house (garage), zero feet on the side, zero feet on the corner side, and 3.25 feet in the rear.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from North 30th Street.
14. Landscape and maintain all unimproved rights-of-way, if any, on Stewart Avenue, Mojave Road, and 30th Street adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping, if any, located in the Stewart Avenue, Mojave Road, and 30th Street public rights-of-way adjacent to this site prior to occupancy of this site.
16. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Site development to comply with all applicable conditions of approval for ZON-20192, WVR-20191 and all other site-related actions.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Site Development Plan Review for a proposed 56-unit single-family attached residential subdivision of three-story homes on 3.98 acres, located on the northeast corner of Stewart Avenue and Mojave Road

Based on gross acre property size the proposed project has 15 units to the acre. This residential development is contingent upon approval of a General Plan Amendment (GPA-20188) to M (Medium Density Residential), Rezoning (ZON-20192) to R-PD15 (Residential Planned Development – 15 Units per Acre) , Waiver (WVR-20191) of private street width, Variance (VAR-20190) of open space and a Variance (VAR-20193) of minimum acreage permitted for a R-PD (Residential Planned Development).

The proposed project is not compatible with other R-PD projects where open space supporting both recreational and landscape amenities are provided for the resident. The proposed project lacks open space requirements as required by the code. Thus, the proposed project is incompatible with the adjacent development and surrounding development in the area; therefore, staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/04/04	The City Council approved a request to Amend (GPA-4523) a portion of the Southeast Sector Plan of the Master Plan from SC (Service Commercial) to PF (Public Facilities), a Rezoning (ZON-4524) from C-1 (Limited Commercial) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4525) for a proposed government facility (East Las Vegas Business Incubator), on 3.59 acres adjacent to the northwest corner of Mojave Road and Stewart Avenue Action. Planning Commission and staff recommended approval.
04/12/07	<p>The Planning Commission recommended approval of companion items ZON-20192; VAR-20193 and WVR-20191. The Planning Commission had no recommendation of companion item VAR-20190. The Planning Commission voted 4-2/ld/sd which failed to obtain a super majority vote which is tantamount to DENIAL of companion item GPA-20188 concurrently with this application.</p> <p>The Planning Commission voted 3-3 on a motion for denial NO RECOMMENDATION (PC Agenda Item #55/jm).</p>

<i>Related Building Permits/Business Licenses</i>	
10/04/05	Code Enforcement (#35102) cited the property for weeds and debris. The case was closed on 10/06/05.

<i>Pre-Application Meeting</i>	
02/14/07	A pre-application meeting was held with regard to the proposed project. Issues related to the General Plan, Rezoning, Site Development Plan, Waiver and Variances were discussed. General process, code requirements and application submittal requirements were explained to the applicant.

<i>Neighborhood Meeting</i>	
03/14/07	A neighborhood meeting was held at 5:30pm at the East Las Vegas Community Senior Center, 250 N. Eastern Ave. No neighbors attended.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre)
North	I-515	I-515	I-515
South	Community Recreational Center	PF (Public Facilities)	C-1 (Service Commercial)
East	Multi-Family	PF (Public Facilities)	R-3 (Medium Density Residential)
West	Correctional Facility	M (Medium Density Residential)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Redevelopment Plan Area	X		Y
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Provided
Min. Lot Size	1,206 SF
Min. Lot Width	20 Feet
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Rear 	3.75 Feet 0 – 17.31 Feet 3.42 – 16.80 Feet
Max. Building Heights	3 stories, 38.5 feet

Existing Zoning	Permitted Density	Units Allowed
C-1	NA	NA
Proposed Zoning	Permitted Density	Units Allowed
R-PD15	14.07 Units per Acre	59
Proposed General Plan	Permitted Density	Units Allowed
M (Medium Density Residential)	25.49 Units per Acre	97

Pursuant to Title 19.12, the following Landscape Standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/30 Linear Feet	31 Trees	31 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	8 Feet		Height not shown	NA

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
3.98	14.1 du/acre	1.65	23%	40,249	1.1%	2,059	N*

*A Variance (VAR-20190) has been requested.

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>
The project is required to provide a minimum of two parking spaces per dwelling unit. In addition, the project is required to provide one guest space for every six dwelling units. The proposed project is a 56 unit development which would require 10 guest spaces, the site has 11 guest spaces. Each unit is proposed to have a minimum of a two car garage. This meets Title 19.10 parking requirements.

ANALYSIS

- Zoning

In separate applications, the applicant is proposing to Rezone (ZON-20192) the property from C-1 (Limited Commercial) under a Resolution of Intent to C-V (Civic) Zone to R-PD15 (Residential Planned Development - 15 units per acre), and Amend the General Plan (GPA-20188) from PF (Public Facilities) to M (Medium Density Residential).

- Site Plan

The proposed project includes 56 lots with attached single family homes. The size of the lots range in area from 1,206 square feet to 2,147 square feet. The lots will be accessed from a main entry located along 30th Street. The interior of the project includes a private street with a width of 24 feet which provide access to each residential parking garage and guest parking space areas. A Waiver (WVR-20190) of Title 18.12.100 to allow private streets to be 24 feet wide where 37 feet is the minimum for a proposed 56-unit single-family attached residential subdivision has been requested by the applicant as a companion item to this application.

The applicant is proposing three-story town homes (loft homes) that will measure approximately 1,800 to 2,000 square feet in area. Each of the homes will have a balcony and rear yard area. In addition, each of the units includes an attached two car garage.

- Waivers

A Waiver (WVR-20191) of Title 18.12.100 to allow private streets to be 24 feet wide where 37 feet is the minimum for a proposed 56-unit single-family attached residential subdivision has been requested by the applicant as a companion item to this application. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended.

- Landscape Plan

Title 19.12 requires 31 trees along the landscape buffer of the project. A total of 31 trees have been provided. Therefore, the proposed landscape plan is sufficient per Title 19.12 standards.

- Elevation

The applicant is requesting to allow a three-story attached residential townhouse unit within five and six-unit residential structures. The residential units are designed in a townhouse development style located on a separate lot for each. The applicant is proposing to incorporate Galvalume exterior material, a patented sheet-metal product. The applicant indicates that Galvalume's coating is composed of aluminum and zinc, which combines long-term corrosion resistance, high-temperature oxidation resistance, and heat reflectivity. The sheet metal is especially good for use on air-conditioned structures. And Galvalume has excellent paint adhesion, with a wide variety of colors and finishes available. Properly installed, Galvalume requires no special maintenance and reduces the hazard of fire.

The building elevations include balconies along the yard areas of the project and sky lights within various areas of the roof plans.

- Floor Plan

The applicant proposes two floor plans, the Lester F that measures approximately 2,000 square feet, and the Tower, which measures approximately 1,800 square feet in area. The floor plans include a ground floor with a two-car attached garage, bedroom with bathroom, laundry room and study area. The main entrance is also located on the ground floor. The second floor includes dining, kitchen and living room. There is a fireplace option for each of the units. The third floor includes a master bedroom loft.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed project is not compatible with other R-PD projects where open space supporting both recreational and landscape amenities are provided for the resident. The proposed project lacks open space requirements as required by the code. Thus, the proposed project is incompatible with the adjacent development and surrounding development in the area.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed project does not meet the open space requirements and is contingent upon approval of a General Plan Amendment from PF (Public Facilities) to M (Medium Density Residential) land use designation to allow the proposed Residential Planned Development.

3. **“Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

The proposed project gains access from 30th Street. In addition, the applicant is requesting a Waiver (WVR-20191) of private street width to allow a 24-foot private street where 37 feet is the minimum required by code. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

The building materials are appropriate for residential construction purposes. The project is contingent upon approval of companion applications related to this project.

5. **“Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

The proposed building elevations are a modern architecture with sheet metal material on the exterior. The proposed project lacks common open space areas and includes very small yard areas within some of the lots.

6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The applicant will be required to complete a building plan and civil improvements plan review for construction of the project. Inspection of the project will be required that will enforce the minimum code requirements and conditions of approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 89 by Planning Department

APPROVALS 0

PROTESTS 0